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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,185	08/15/2001	Brian Bramlett	5038-75	1411
7590 12/31/2003				
MARGER JOHNSON & McCOLLOM, P.C. 1030 SW Morrison Street Portland, OR 97205			EXAMINER KIM, PETER B	
			ART UNIT 2851	PAPER NUMBER

DATE MAILED: 12/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/931,185

Applicant(s)

BRAMLETT ET AL.

Examiner

Peter B. Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

Applicant's arguments filed on Nov. 4, 2003 have been fully considered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 11-13, and 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Faris et al. (Faris).

Faris discloses in fig. 10A, a light projection apparatus and method with a light source (95), a dynamic patterning means, (10") LCD matrix, interposed within the light path. Faris discloses a mirror (105) having central axis at an oblique angle to the light and means for tilting the mirror. Although, Faris does not disclose a steering means, it is well known overhead projectors have image projection head (99) which is tiltable so that the light pattern can be directed in a desired direction including first and second directions. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to provide an image projection head which can be tilted in order to direct the light to a desired direction.

Claims 2-9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Faris et al. (Faris) in view of Mueller et al. (Mueller).

Faris discloses the claimed invention as discussed above. However, Faris does not disclose using LEDs. Mueller discloses in the abstract and in col. 2, line 63 – col. 3, line 60, a

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light projection apparatus and method using LEDs of different lights as the light source.

Although Faris does not disclose selectively actuating pixels of transmissive LCD matrix, such function is inherent for LCD matrix. LCD matrix allows control of the pixels to form images and selectively allow light to pass. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to provide the LEDs of different color to the invention of Faris in order to obtain colorful images as taught by Mueller in col. 2, lines 5-10.

Claims 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Faris et al. (Faris) in view of Mueller et al. (Mueller).

Faris discloses in fig. 10A, a light projection apparatus and method with a light source (95), a dynamic patterning means, (10") LCD matrix, interposed within the light path. Faris discloses a mirror (105) having central axis at an oblique angle to the light and means for tilting the mirror. Although Faris does not disclose selectively actuating pixels of transmissive LCD matrix, such function is inherent for LCD matrix. LCD matrix allows control of the pixels to form images and selectively allow light to pass. Although, Faris does not disclose a steering means, it is well known overhead projectors have image projection head (99) which is tiltable so that the light pattern can be directed in a desired direction including first and second directions. Faris also does not disclose using LEDs. Mueller discloses in the abstract and in col. 2, line 63 – col. 3, line 60, a light projection apparatus and method using LEDs of different lights as the light source. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to provide the LEDs of different color to the invention of Faris in order to obtain

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colorful images as taught by Mueller in col. 2, lines 5-10 and to provide an image projection head which can be tilted in order to direct the light to a desired direction.

Response to Arguments

In response to the arguments, the Faris reference is used in a 103 rejection to show that it is obvious to provide a steering means to the invention of Faris.

Applicant also argues that it would not be obvious to provide LED lights of Mueller to Faris; however, LED is a light source just as "white light" of Faris is a light source. Thus, it would be obvious to replace one type of light source with another in order to provide image with color.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Suzuki (US 5,122,831) and Saita (5,663,782) are included to show that it is obvious to replace a white light with an LED light.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Kim whose telephone number is (703) 305-0105 (new number after Jan. 29, 2004 is 571-272-2120). The examiner can normally be reached on Monday-Thursday from 8:30 AM to 6:00 PM. The examiner can also be reached on alternate Fridays during the same hours.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on 703 308 2847. The fax phone numbers for the organization where this application or proceeding is assigned is 703 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308- 0956.

A handwritten signature in black ink, appearing to read 'Peter B. Kim', with a stylized flourish at the end.

Peter B. Kim
Patent Examiner
December 19, 2003